

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

**TRUSTEES OF THE OREGON-
WASHINGTON CARPENTERS-
EMPLOYERS HEALTH AND WELFARE
TRUST FUND et al.,**

Plaintiffs,

v.

CASCADE STRUCTURES LLC, et al.,

Defendants.

No. 3:18-cv-00364-YY

OPINION AND ORDER

MOSMAN, J.,

On July 16, 2019, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (F&R) [32], recommending that Plaintiffs' Motion for Summary Judgment [28] be granted. No objections were filed and Defendants informed the Court they did not intend to contest summary judgment.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge,

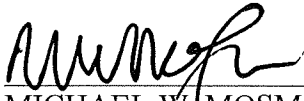
but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

CONCLUSION

Upon review, I agree with Judge You's recommendation and I ADOPT the F&R [32] as my own opinion. Plaintiffs' Motion for Summary Judgment [28] is GRANTED and this action is dismissed with prejudice.

IT IS SO ORDERED.

DATED this 19 day of July, 2019.


MICHAEL W. MOSMAN
Chief United States District Judge